

**From:** J. C. West  
**To:** Microsoft ATR  
**Date:** 1/25/02 11:25am  
**Subject:** Microsoft Settlement

Dear U.S. Attorneys...

I strongly encourage you to require Microsoft to relinquish their position of only protecting "for profit" competitors from predatory practices.

There are no "for profit" competitors of Microsoft. The issue is a sham. The only competition to Microsoft domination of the OS and applications fields is the "not-for-profit" open source software community. Please take the time to re-read the Halloween Papers.

Linux, Unix, GNU, itself, and all their open source brothers are not only in need of protection, you are the only protector upon which they can ultimately rely. We are at the last showdown. Please, simply make Microsoft drop the "for-profit-only" concept.

I have the temerity to write to you...

Because my state Attorney General suggested it to me. Because I am a quiet resident of Norwalk, a blue-collar city in lower Fairfield County, Connecticut where I publish scholarly reference books, college texts, and political fables and satires. I am not political and am a fairly average citizen of this state.

I graduated from both Harvard College (AB, 1970) and Dartmouth College (MBA, Amos Tuck, 1972) and did a bit of post-graduate work at the USN War College. At Harvard, my (undergraduate) Constitutional Law training consisted of Paul Freund's 'Philosophy of the Law' classes in Sanders Theatre and Marty Shapiro's course on SCOTUS (he was visiting from UC Davis). Perhaps you know or will recall them. At Tuck my Business Law Professor was Justice Johnson of the NH Supreme Court.

In short, I am no attorney, but I do have some insight into what Mr. Justice Holmes thought of the law, and why, and what he thought it could accomplish. And I have watched Microsoft abuse this country and its legal system for Mr. Gates' entire business career.

As for today, my publishing houses are current recipients of multi-year grants from the Henry Luce Foundation, the Andrew W. Mellon Foundation, and the Korea Literature Translation Institute among several others. My CD-ROM publication of the US DOL DOT can be seen in every US Social Security office (including ALJ, appeals, and State level DDS hearing offices), nationwide. I learned to program in the BASIC language in 1970 (while its author, John Kemeny, was still president of Dartmouth),

I have taught several electronics technologies in several places and in several contexts and hold current mainstream certifications in a few computer technologies and am a member of IEEE, COMPTia, and some other computer-related organizations. I serve on the advisory board for a local alternative high school and helped design their new computer technology career academy program.

I have no need to impress you and, frankly, I don't think I have. But I did need to catch your attention so I included the above pertinent mini-credential in hopes of raising my credibility above the background noise.

In summary...and seriously...

Dear reader...Please take and/or encourage your colleagues to consider an even firmer stance against Microsoft -- especially, and most importantly -- regarding protection of the open source "nonprofit" competitors.

It is a bit dramatic to call it a crusade but, dammit, it is...and you, like it or not, are a crusader. The open source community is comprised of folks who can't afford to quit their day jobs but who have come up with Apache -- over 80% of the web runs on it because it's superior to Microsoft -- and who are the only competition to the richest man in the world. They're not revolutionaries -- they're you and me.

Over the years the American people have entrusted me with a command or two and have decorated me, personally, several times for this and that but I never had it in my power to accomplish anywhere near what you can. You hold the key to the world in which my daughters (11 and 12) will live. You hold the power to shape their quality-of-life. Please wield it wisely on behalf of my daughters -- and on behalf of yours.

Thank you.

CDR Joe West USCGR (ret)

CC:                Richard Blumenthal